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HONOLULU, H. I.: TUESDAY, MAY 16, 1899.—SEMI-WEEKLY.

WHOLE NO. 2072.

Hawaiian Gazette.

SEMI-WEEKLY.

ISSUED TUESDAYS AND FRIDAYS.

W. N. ARMSTRONG, EDITOR.

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TO BE OBSERVED

Preparing for the Annual Feast
of the Holy Ghost.

WORK AT THE MISSION

A Lanai Has Been Built—Decora-
tions—Lighting—Two Bands—
in a Few Days.

Next Saturday at 6 p. m. the celebra-
tion of the feast of the Holy Ghost will
begin at the Catholic mission. The
lanai where the crown will be in state
and the altar will be erected has al-
ready been built. It stands a little to
the rear of the cathedral.

Promptly at the hour named the pro-
cession will form in the yard. Headed
by the St. Louis College band the black
gowned priests will remove the crown
and flags from the church and place
them in the repository which has been
built to receive them.

In the middle of the building will be
the altar covered with flowers whose
fragrance will mingle with that from
the swinging censers.

Hanging in midair will be the offer-
ing of the Portuguese. It will be an
artistic piece of work. Grapes, bananas,
pineapples and other fruits will be so
arranged as to form one huge grape,
which is one of the emblems of
sanctity.

In the middle of the room will be a
table set ready for a feast. Around
this, in front of the altar, crown and
flags, the devotees will pass. Anyone,
regardless of sex, may walk the circle.
As they pass the crown they will
lay down their offerings. These will
consist of anything, money, clothes,
fruits and the like. These all go in
the interest of the feast and for the poor
amongst the faithful.

In the shed mauka of the church a
regular bazaar will be held. The offer-
ings will be put up for sale and a
lottery will be conducted. He who is
lucky in the game of chance will be
presented with clothes. In the shed
also the gifts will be distributed to the
worthy poor. Six Portuguese and six
Hawaiians being selected to typify the
last supper.

At about 11 o'clock at night whatever
remains in the bazaar will be auctioned
off to the highest bidder.

At 10:30 Sunday morning pontifical
high mass will be celebrated in the cathe-
dral. The procession will form
again and the crown and flags will
be placed in their usual positions. After
the mass is held the sacred emblems
will be once more carried back to the
repository.

At 1 o'clock Sunday afternoon the
offerings for the poor people will be given.
The Portuguese band, under the
leadership of Father Valentin will play
throughout the afternoon. The mem-
bers have been practicing for some
time in anticipation of this event.
After the concert the crown and flags
will be taken back to the church.
The grounds will be illuminated during
Saturday and Sunday nights with
300 colored electric lights.

After New Telephones.

John Cassidy, superintendent of the
Mutual Telephone system, is to get
away for the States by the S. S. Aus-
tralia this afternoon on business for
the company. Mr. Cassidy will be
away a couple of months and will
make extensive purchases for what will
amount to the reconstruction of the
telephone service of the city and the
Island. There will be secured for the
main exchange equipment in the
switchboard department the same as
recently installed at the Waikiki
branch and so entirely satisfactory.
Within three months the telephone
system will be free from "induction" or
other outside trouble. While talking
work will be greatly simplified.
In the absence of Mr. Cassidy Mr. C.
S. Crane, long connected with the tele-
phone service here, will act as super-
intendent.

A Photographer's Trip.

J. J. Williams, the pioneer photog-
rapher, will be a passenger for the
coast by the Australia this afternoon.
Mr. Williams has not made a trip
abroad for some time. He goes chiefly
just now for the reason that he is "run
down" from overwork. Besides get-
ting the benefit of the rest and change
of scene, Mr. Williams will extend his
traveling to the East and pick up
what there may have developed new in
photography recently. He will make
some purchases for his studio here, and
hopes to secure a number of novelties.
Mr. Williams has a sensitized judg-
ment in this field, and something will
be expected from him when he gets
back.

The Stock Company.

Honolulu is to have a regular the-
atrical stock company which will play
an extended season at the Opera House.
The star will be Mr. McVay, who took

the leading parts in the performances
of the Janet Waldorf company.
Several of the members of the Wal-
dorf company will not complete the
tour to London.

It is Mr. McVay's intention to bring
some talent from San Francisco, and
with these, together with the members
of the Waldorf company who remain
here, form his stock company. Only
the legitimate drama will be presented.
"Othello," "Damon and Pythias,"
"Julius Caesar," "The Gladiator" will
be included in the repertoire.
The prevailing prices at the Opera
house will be cut somewhat.

Nahiku Officers.

The stockholders of Nahiku planta-
tion met yesterday and elected the fol-
lowing officers:

J. B. Castle, president; J. F. Morgan,
vice president; H. Armistage, secretary;
J. P. Cooke, treasurer; H. C. Austin,
auditor. These, together with W. H.
Hoogs and J. A. Magoon, will consti-
tute the board of directors.

FAITHFUL AGENTS.

Active Work of the Board of Health
Inspectors.

The system of sanitary inspection
under the direction of the Board of
Health seems in its operation to be
complete and effective. Two men are
on patrol all of the time. They divide
the city at Nuanu street and give es-
pecial attention to Chinatown and the
Japan Sea. Owners of premises are
notified when occupants persist in of-
fending. The inhabitants of the sec-
tions indicated are ordinarily prompt
in carrying out the instructions of the
inspectors. These officials are "Chips"
Charles and N. P. Jacobson. It is due
to their vigilance and hard work that
the conditions are everywhere of the
nature that can be called excellent.
There have been no spells or flurries in
this department. The hunting out of
nuisances and abatement of the same
continues right along every day. China
town and the Japan Sea are nearly as
clean today as they were after the
Citizens' Committee finished its labors
in 1895.

For the removal of garbage from the
whole of the town to the dumping
grounds in Kakaako and Kewalo there
are but two carts and four men. The
consequence is that the boxes filled
with trash accumulate on the side-
walks. Executive Officer Reynolds, of
the Board of Health, has several times
tried to work reform in this depart-
ment and will in time get it as he
wishes.

Since the military hospitals have
closed there has not been so much
work for the odorless excavator, but a
second outfit for the dredging of cess-
pools has been ordered and will soon
be in service.

LADIES' DOUBLES.

Progress in the Championship
Tennis Tournament.

The first match of the ladies' tennis
doubles was played yesterday.
The contestants were Miss Hart and Miss
Gunn, and Miss Dillingham and Miss
Lemmon. The victory went to the
former team in two straight sets, 6-3,
6-2.

The games were devoid of startling
features. The rain interfered with fast
playing. At one time it seemed that
the games would have to be called on
account of rain, but the players were
entirely willing to do their part. The
Punahou girls put up a good game, but
they could not make headway against
the play of Miss Hart, who covered
both sides of her court.

Today the championship will be de-
cided. Miss Hart and Mrs. Gunn will
meet Miss Hoffman and Miss Scott.
The contest should be a spirited one, as
the teams are quite evenly matched.

Circuit Court Cases.

In the matter of Charles T. Helm vs.
F. B. McStocker and T. J. Hobron
plaintiff has filed a joinder in demurrer
and prays for judgment.

Achi & Johnson, attorneys for plain-
tiff in the matter of F. J. Testa vs. J.
P. Kahahawai have filed a bill of costs
amounting to \$89.05. Defendants in
same case have made a motion for a
new trial.

In the suit in equity of Rush Horn
vs. George D. Gear, J. C. Horn, et al.,
defendants have filed a demurrer to the
amended complaint on the grounds
that the bill does not show any equity
upon its face, and that the bill does not
ever asked for by plaintiff or refused.
This is a friendly suit.

Plaintiff in the matter of John Kai-
keiki vs. Nalelehu, et al., have
moved for a new trial.

Art League Exhibit.

The pictures for the annual exhibi-
tion of the Kiloheua Art League are
all in place in the association's rooms
in the Model block and will be cat-
alogued shortly. Invitations will be
issued today for the opening reception,
which will be held Friday evening in
the art rooms.

College Lecture.

W. N. Armstrong lectured in Oahu
College yesterday morning. His sub-
ject was "Manners" and the faculty
and students were greatly pleased with
the address. Emerson and Lord Che-
sterfield were quoted. The peroration
was a characterization of the Christ.

HAS BEEN CITED

Attorney General Cooper is Called
Into Court.

HE MUST APPEAR JUNE 19

Complaint Charging Malpractice Made of Re-
cord—Particulars of Case
Are Detailed.

The proceedings against Attorney
General Cooper, on the relation of At-
torney A. S. Humphreys, about which
there has been considerable comment
and publication, have been instituted.
This is the first principal document in
the case:

In the Supreme Court of the Republic
of Hawaii. June Term, A. D. 1899.
In the matter of Henry E. Cooper, an
attorney at law and a member of the
bar of this Court, charged with mal-
practice and unprofessional conduct as
a member of said bar upon the re-
lation, information and charge of
A. S. Humphreys, an attorney at law
and a member of the bar of this
Court.

May it please your Honor:
A. S. Humphreys, the relator herein,
gives your Honor to understand and
be informed of the following facts, to-
wit:

I.—That your relator is a resident of
Honolulu and that he was at all of the
times hereinafter mentioned and now
is an attorney at law and a member
of the bar of this Court, and as such
attorney at law and as such member
of the bar of this Court, has the right
to practice in all of the Courts of this
Republic and to appear therein as an
attorney, counselor, solicitor and pro-
cessor, in behalf of third persons who may
choose to retain him, for the prosecution
or defense of actions, civil, criminal
or mixed.

II.—That at all of the times hereinafter
mentioned Henry E. Cooper, a
resident of Honolulu, was and now is
an attorney at law and a member of
the bar of this Court and that at all of
the times hereinafter mentioned the
said Cooper was, and now is, the duly
appointed, qualified and acting At-
torney General of the Republic of Hawaii.

III.—That as such Attorney General
it was and is the duty of said Cooper
under the law of the land, among other
things, to appear for the Government
personally or by deputy, in all the
Courts of record of this Republic, in
all cases criminal or civil in which the
Government may be a party, or be in-
terested, and in like manner to appear
in the District Courts when requested
so to do by the Marshal of the Repub-
lic or the Sheriff of any one of the
Islands; also to be vigilant and active
in detecting offenders against the laws
of the Republic and to prosecute the
same with diligence.

IV.—That at all of the times hereinafter
mentioned A. L. C. Atkinson, a
resident of Honolulu, was and now is
an attorney at law and a member of
the bar of this Court, and that at all of
the times hereinafter mentioned the
said Atkinson was, and now is, the duly
appointed, qualified and acting assistant
Attorney General of the Republic of
Hawaii, and as such assistant
Attorney General was and is under the official direction
and control of the said Attorney Gen-
eral and was and is subject to the law-
ful official orders and commands of the
said Attorney General.

V.—That at all of the times hereinafter
mentioned Harry P. Weber was
and now is an attorney at law and a
member of the bar of this Court, and
that at all of the times hereinafter
mentioned the said Weber was, and now
is, the duly appointed, qualified and acting
clerk or assistant to the said Attorney
General of the Republic of Hawaii and as
such clerk or assistant was and is
under the official direction and control
of the said Attorney General and was
and is subject to the lawful official or-
ders and commands of the said Attorney
General.

VI.—That on the 25th day of April,
1899, one Ah Ngee duly subscribed,
swore to and filed in the District Court
of Honolulu a complaint wherein and
whereby he charged one Abel Carreira
with having committed assault and bat-
tery upon him, the said Ah Ngee; that
a warrant was issued upon the said com-
plaint, for the arrest of the said Car-
reira, was duly issued by the District
Magistrate of Honolulu; that said Car-
reira was arrested under and by virtue
of said warrant and his case, after
divers continuances, was finally set for
trial on the 11th day of May, 1899, at
which time he was duly tried and con-
victed of said offense by said District
Magistrate.

VII.—That the complaint of said Ah
Ngee was prepared by the said Atkin-
son, assistant to the said Attorney Gen-
eral, as aforesaid, and was subscribed,
sworn to and filed by said Ah Ngee
under and by the instruction of the
said assistant to the Attorney General.

VIII.—That the said Atkinson before
preparing said complaint and before
instructing and directing said Ah Ngee
to subscribe, swear to and file the
same, consulted and advised with the
said Cooper, as Attorney General afore-
said, in relation thereto and obtained
his consent to institute said prosecu-
tion.

IX.—That the said Atkinson, assis-
tant to the Attorney General as afore-
said, was present in the District Court
of Honolulu and therein discharging
the functions of a prosecuting officer
when the said Carreira was arraigned
on said complaint; and that the said

Carreira was arraigned on the charge
dictated by the said Atkinson.

X.—That subsequent to the arraignment
of said Carreira and before the day
set for his trial, said Cooper re-
quested Atkinson to retain private
counsel to prosecute said case; that
thereupon said Atkinson duly retained
and employed your relator to prose-
cute the same.

XI.—That on the 9th day of May,
1899, your relator was informed that
said Harry P. Weber, a clerk or as-
sistant to the said Attorney General,
would appear as counsel for and in be-
half of the said Carreira, charged with
the crime of assault and battery as
aforesaid; that thereupon your relator
immediately sent for said Weber and
called his attention to the gross ath-
letic, official and professional miscon-
duct, as well as the legal and moral
wrong of the appearance by the At-
torney General or any attaché of his of-
fice, in any Court of this Republic as
counsel for and on behalf of a person
charged with an offense against the
law of the land, and that your relator
intended to make a motion upon the
trial of said cause to prevent the said
Weber of any other person connected
with and under the pay, direction and
control of the Attorney General, from
appearing as counsel for said defend-
ant in said criminal case; that said
Weber stated to your relator that he
was subject to the orders of the At-
torney General and was under constraint
to obey the same; but that the improp-
riety of his appearing as counsel for
said defendant had not before occurred
to him and that he would confer with
the Attorney General in regard thereto.

XII.—That directly after said con-
versation with said Weber your relator
met said Cooper and protested against
the appearance of said Weber or any
one connected with the Attorney Gen-
eral's office as counsel for the defend-
ant in said criminal case and stated to
said Cooper that he designed making
a motion before said District Court to
prevent such appearance; that after
some further conversation said Cooper
admitted to your relator that it was
"an anomalous case" and that he would
advise the employment of private coun-
sel to defend said criminal case.

XIII.—That on the 11th day of May,
1899, your relator attended said Dis-
trict Court to prosecute said case; that
just before said case was called for
trial A. M. Brown, Marshal of the Re-
public of Hawaii, informed your relator
that he had received instructions from
said Cooper to allow your relator to
prosecute said case upon the express
condition and upon the express condi-
tion only that your relator would fore-
go and abandon his right to question
the appearance of said Weber for said
defendant in said criminal case, and on
information and belief relator charges
that said Cooper did in fact so instruct
the Marshal. That your relator pro-
tested to said Brown against the action
of said Cooper as illegal and unpro-
fessional, but refrained from making a
motion to prevent the appearance of
said Weber as counsel for the defend-
ant in said criminal case, solely on ac-
count of the duress of the condition
under which your relator was permit-
ted to prosecute the same.

XIV.—That said Weber appeared in
said District Court as the attorney and
counsel of and for the said Carreira
while the latter was on trial charged
with said criminal offense, to-wit: as-
sault and battery, and actively con-
ducted the defense of said criminal
case to the conclusion thereof.

XV.—That said Weber appeared in
said case and conducted the defense
thereof as relator is informed and be-
lieves, under the direction, order and
command of the said Cooper, who had
therefore, sanctioned the institution
of said prosecution as aforesaid, and
had at no time thereafter, so far as re-
lator is informed or believes, with-
drawn such sanction. And the relator
charges that the said Cooper in sup-
pressing relator's intended motion by
resorting to coercive use of his official
powers, did so in his own personal,
private interests and for his own per-
sonal ends, and not for, but in hostility to,
the interests of the public, to-wit: to
suppress and prevent public attention
to and censure of his conduct afore-
said, knowing the same to be unpro-
fessional, highly improper and illegal.

Relator further charges, that the said
Cooper deliberately persisted in having
his clerk and assistant, the said Weber,
defend the prisoner aforesaid upon the
charge aforesaid, even after the protest
of relator, in order to aid and encour-
age the defense, and to discourage the
prosecution.

And relator further charges that the
said Cooper, by having his clerk defend
said person, and by exercising at the
same time coercion upon relator as
aforesaid, retained and intended to re-
tain control and direction, both of the
prosecution and defense of said cause,
at one and the same time.

XVI.—And your relator charges that
said Cooper is guilty of gross and
scandalous misconduct and malprac-
tice in his said office as an attorney
at law and as a member of the bar of
this Court, and by threatening to deprive
this relator of the right to prosecute
said case if he exercised the privilege
of questioning the legality of the ap-
pearance in said case by said Weber on
behalf of said defendant, has unjustly
and unlawfully abridged the profes-
sional rights of petitioner.

Wherefore your relator doth humbly
pray that the said Henry E. Cooper
may be cited to appear and answer
this information at the June term, 1899,
of this Honorable Court, and that if the
charges herein made be sustained that
your Honor will enter such order and
do such things as the said Henry E. Cooper
may be proper.

A. S. HUMPHREYS,
Relator.

Hawaiian Islands, Oahu, ss.
A. S. Humphreys, duly sworn, de-

(Continued on Page Five.)

WITH FAST ONES

Runners and Harness Horses for
the Races.

ARE BEING TRIED OUT

Making Record Miles—Promise of interesting
Contests—The Track—Willing
Wheelmen.

It is during these days that the race
horses at the Kapiolani Park track are
getting their trials, or "work outs."
Some fine exhibitions are being given
mornings and afternoons. Those who
are interested in the racers and the
events are keen to hold watches while
trials are in progress. In most cases
the drivers and owners of animals are
anxious to conceal the capabilities of
the racers. Several of the runners are
still mysteries to the rival owners, tip-
sters and touts, and even to trainers
in rival stables. About all of the run-
ners are said to be showing up well.

Irish Lassie is still a puzzle. Gibson,
the trainer and driver, is crafty with
his pretty pet. W. Wood seems to
fine fettle. He has shown a mile in
2:17 "in a jog." Wela ka Hao (Our
Boy) appears to be stepping better than
ever, and Cunningham is correspond-
ingly elated. The horsemen declare
that Wela ka Hao gives evidence of
having more strength, wind and re-
serve force than any harness horse
at the track. He has done some very
fast quarters, some stunning halves,
and the mile without trouble in about
2:18. Violin, in a work-out since the
match with Directress, has covered the
mile very easily under the record time
of 2:16. Loupe, the big black harness
horse, with a record of many high-
class performances in the States, is
rounding into form. He is being han-
dled with the greatest care, and if fit
on the 11th will do some grand trav-
eling.

The track at the park is now in fine
condition. This is both surprising and
gratifying. When Camp Otis was aban-
doned, and the New York Regiment
left Camp McKinley, the half of the
race track was like a country dirt road.
Under the direction of Durfee it has
been repaired and worked upon till it
is pronounced just a trifle better than
ever before, though some of the horse-
men from abroad say the turns should
be still higher.

A number of the wheelmen of the
city have expressed a willingness to
train and enter and start if the
Jockey Club will put a couple of
bicycle numbers on the programme.
There has been no wheel racing
since the days and nights of Cyclone,
and two or three events would add ma-
terially to the sport of the day.

The handsome and fast pacer mare
Violin, imported and raced here by
James Quinn, has passed into the own-
ership of Prince Cupid, and will in all
likelihood carry the colors of that gen-
tleman June 11th and thereafter. The
mare is of Button stock and is a true
and notable performer, though only
lately turned to edge. She has shown
a mile in 2:16 in a match, and is be-
lieved to be capable of doing the dis-
tance in five seconds less. Prince Cu-
pid is a great lover of horses, and has
one promising galloper at the track.
In Violin unless there is some grave
accident, the new owner has a prize.
Mr. Quinn parted with Violin with
much regret, and entirely for private
business reasons. The price paid is
said to be but \$1000.

LATEST FROM KAUTZ.

WASHINGTON, May 5.—The
Navy Department has been sup-
plied by the cable companies
with the following corrected
statement of Admiral Kautz's
cablegram of yesterday:
AUCKLAND, May 4.—Sub-
date, April 27.—Secretary
of the Navy, Washington: All
quiet at Apia. Mataafa and his
chiefs in their letter of April
25th agreed to keep outside
lines prescribed by British sen-
ior officer present and myself
and to observe peace until ar-
rival of the commission. Think
there will not be more fight-
ing.

The New Bank.

Col. Geo. W. Macfarlane, who is just
now devoting all of his time to the
proposed First American Bank, left for
San Francisco by the Gaelic and hopes
to get through with his business in the
city during a stay of but three days.
This will necessitate telegraphing sev-
eral thousand words to New York and
Washington and even sending some
cable messages. Everything will be
done to advance the interests of the
business in hand. Mr. Lillenthal will
return to Honolulu with Col. Macfar-
lane and then the bank will be opened
without delay. The apportionment of
the assessable stock signed for here is
to be made at San Francisco.